IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TEST. PETITION NO. 212 OF 1991

Maruti Devji Devkar .. .. Deceased

Shobha Rajaram Annusey .. .. Petitioner
Versus
H.M. Devkar .. .. Noticee

Ms. M.N. Zar for the Petitioner.
Mr. H.M. Deokar - Noticee in person.

CORAM : S.K. SHAH, J.
DATED : 30.9.2004.

P.C.-

1. This is an application seeking succession certificate in respect of the debts payable to the deceased Maruti Devji Devkar. Parties are present.

2. The Petitioner is the daughter of the deceased. There are other three daughters and one son. One of the sons of the deceased by name Krishna Maruti Devkar have expired. His heirs namely three daughters and one sons are brought on record. All of them have filed consent affidavit. Except Hari the others have given consent for issuance of succession certificate in favour of the applicant. Hari one of the sons of the deceased has sought succession certificate in his favour separately. However, that is not permitted. He agrees that for the Petitioner to deposit in Court the
amount equal to 1/4th share payable to him out of the debts of the deceased.

3. As such, the Petition is allowed.

4. Succession Certificate as prayed for be issued in favour of he application.

5. Applicant shall deposit in the Court the amount equal to 1/4th share payable to Hari Maruti Devkar.

[S.K. SHAH, J.]